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ADMITTED: NEW YORK, ALGERIA AND US COURT
ON INTERNATIONAL TRADE

September, 23, 2016

VIA ELECTRONIC FILING

Honorable Marilyn D. Go
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

RE: Cecil Lewis, as Administrator of the Estate of Stephanie Lewis v. New York City Transit Authority, 04 CV 2331 (SLT)(MDG)

Dear Judge Go:

We represent the Plaintiff in the above-referenced matter. Pursuant to the Court's August 2, 2016 Order, we write to appraise this Court on the status of the application with the Surrogate's Court regarding the settlement in the above captioned matter.

On September 7, 2016, the Surrogate's Court issued a decision approving the settlement. A copy of the decision is attached herein as Exhibit 1. Cecil Lewis as the administrator of the estate of Stephanie Lewis is now authorized to consent to the settlement and issue general releases. Attached herein as Exhibit 2 is a copy of the decree currently pending before the Surrogate's Court.

For purposes of finalizing the settlement and consenting to the general releases, we believe that, the Surrogate's Court decision should serve as the Surrogate's Courts approval. If the Court so agrees, we hereby submit the September 7, 2016, Surrogate's Court decision in lieu of the decree.

Respectfully Submitted,

/s/ Omar Mohammedi

Omar T. Mohammedi, Esq.

CC: All Counsel via ECF

Exhibit 1

**SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
**In the Matter of the Application of CECIL LEWIS, as
Administrator of the Estate of**

D E C I S I O N

**STEPHANIE D. LEWIS
a/k/a STEPHANIE DIANE LEWIS,**

File No. 1104/D-2012

Deceased,

**For Leave to Compromise and Settle a Certain Cause
of Action for Religious Discrimination of the Decedent
and Render and Lifting the Limitations Placed upon
the Letters of Administration Heretofore Issued to the
Petitioner.**

-----X
JOHNSON, S.

**In this compromise proceeding, Cecil Lewis (hereinafter the
administrator) has petitioned for, *inter alia*, permission to compromise a
cause of action discrimination against Stephanie D. Lewis (hereinafter the
decedent), approval of payment of certain claims and expenses against the
decedent's estate and approval of the distribution of the net proceeds to the
decedent's distributees. Jurisdiction is complete and no objections have
been filed.**

**The cause of action for discrimination against the decedent was
settled for the sum of \$237,500. The compromise is approved, the
restrictions in the letters of administration are modified and the
administrator is authorized to consent to the settlement and issue general
releases.**

The proceeds shall be distributed as follows:

**The sum of \$17,134.59 (\$1,500 of which has already been paid) shall
be allowed to the attorneys for the petitioner for all legal services inclusive**

of disbursements through distribution. The disbursements requested by Roy Wallace, Esq. were allowed in the reduced sum of \$1,537 and the disbursements requested by Omar T. Mohammedi, Esq. were allowed in the reduced sum of \$7,287.59 (*see Matter of Kunicki*, 35 AD3d 742 [2d Dept 2006]; *Matter of Diamond*, 219 AD2d 717 [2d Dept 1995]).

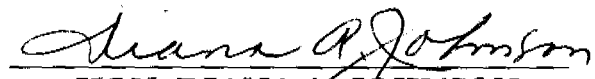
The sum of \$6,546.75 shall be paid in full reimbursement of all funeral expenses as follows: \$3,273.38 to Andrew Lewis and \$3,273.37 to Jerome Watson.

The sum of \$600 shall be paid to Rutland Nursing Home in full satisfaction of its claim.

The sum of \$1,350 shall be paid to Kings County Hospital in full satisfaction of its claim.

The balance of the net proceeds shall be distributed to the decedent's distributees as requested in the petition, as amended.

Submit decree.


HON. DIANA A. JOHNSON
Surrogate

Dated: Brooklyn, New York
September 7, 2016

Exhibit 2

At a Surrogate's Court held in and for
the County of Kings, at the Kings
County Courthouse, 2 Johnson Street,
Brooklyn, New York, on the ____ day
of September 2016.

Present: HON. DIANA JOHNSON,
Surrogate

-----X

File # 2012-1104/D

In the Matter of the Application of CECIL LEWIS,
as Administrator of the Estate of

DECREE

STEPHANIE D. LEWIS,
aka STEPHANIE DIANE LEWIS

Deceased,

For Leave to Compromise and Settle a Certain Cause
Of Action for Religious Discrimination of the Decedent
And Lifting the Limitations Placed upon the
Letters of Administration Heretofore Issued to
The Petitioner.

-----X

TO THE SURROGATE'S COURT, KINGS COUNTY:

Upon reading and filing the petition and account of CECIL LEWIS, as
administrator of the Estate of STEPHANIE D. LEWIS, deceased, duly verified the
15th day of September 2015, the amended petition of CECIL LEWIS, verified the
24th day of February 2016, and upon the consent filed on behalf of the Commissioner
of Taxation and Finance,

And a summary of the petitioner's account being stated as follows:

That the petitioner charges himself with \$234,375.00 and credits in the
sum of \$24,796.77.

Now on the motion of Roy H. Wallace, Esq., attorney for the said petitioner, it
is

ORDERED, ADJUDGED AND DECREED, that the said Administrator is
authorized to compromise and settle a certain cause of action for racial

discrimination of the decedent against the New York City Transit Authority, for the sum of the sum of \$237,500.00, of which \$225,000 will be allocated for compensatory damages, costs, expenses and expert fees but not disbursements, and \$12,500.00, less the applicable taxes and deductions (\$3,125.00), to back pay damages, and said Administrator is further authorized to execute and deliver any and all documents as may be required to effectuate said settlement, and it is further

ORDERED, ADJUDGED AND DECREED, that the restrictions contained on the Limited Letters of Administration heretofore issued are hereby modified to the extent necessary to permit the acts herein directed, and the filing of a bond or other security therefore is hereby dispensed; and it is further

ORDERED, ADJUDGED AND DECREED, that the defendant or their insurance carriers are authorized and permitted to pay the settlement amount of \$237,500.00 less \$3,125.00 for payment of decedent's withholding taxes to CECIL LEWIS, as Administrator of the ESTATE of STEPHANIE D. LEWIS, and that said Administrator is hereby ordered, directed and authorized to pay said settlement funds as follows:

To:

Roy H. Wallace, Esq., attorney for the petitioner, the sum of \$9,847.00, inclusive of disbursements in the sum of \$1,537.00, of which \$1,500.00 has already been paid,	\$8,392.00
Omar T. Mohammedi, Esq., attorney for decedent in the underlying action, as reimbursement of disbursements in the sum of	\$7,287.59
Andrew Lewis, the sum of \$3,273.38, as reimbursement of advanced funeral expenses	\$3,273.38
Jerome Watson, the sum of \$3,273.37, as reimbursement of advanced funeral expenses	\$3,273.37
Kings County Hospital, in full satisfaction of its creditor claim, in the sum of	\$1,350.00
Rutland Nursing Home, in full satisfaction of its	

creditor claim, in the sum of \$600.00

The sum of \$208,743.71 to distributed to decedent's distributees, as requested by the petition:

To:

Cecil Lewis, as distributee, the sum of \$89,685.92

Andrew Lewis, as distributee, the sum of \$39,685.93

Jerome Watson, as distributee, the sum of \$39,685.93

Malik Watson, as distributee, the sum of \$39,685.93

and it is further

ORDERED, ADJUDGED AND DECREED, that upon complying with the terms of this decree, the said Administrator is hereby released and discharged of any further liability as to all matters embraced in this decree and his account shall be marked settled.

HON. DIANA JOHNSON
Surrogate